

STATE OF WISCONSIN
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

GEORGE MUDROVICH, Complainant,

vs.

D.C. EVEREST AREA SCHOOL DISTRICT, Respondent.

Case 53
No. 57582
MP-3522

Decision No. 29946-J

Appearances:

Mr. George A. Mudrovich, 826½ Steuben Street, Wausau, Wisconsin 54403, appearing on his own behalf.

Ruder, Ware & Michler, S.C., by **Attorney Ronald J. Rutlin**, 500 Third Street, P.O. Box 8050, Wausau, Wisconsin 54402-8050, appearing on behalf of the Respondent.

ORDER DENYING COMPLAINANT'S MOTION IN LIMINE

On May 26, 1999, Complainant filed a prohibited practice complaint with the Wisconsin Employment Relations Commission alleging that the Respondent had violated Secs. 111.70(3)(a)1 and 3, Stats., by the administration recommending Complainant's layoff and the school board members approving the same and rejecting Complainant's application for full-time employment, in part, due to Complainant's protected, concerted activity. On August 1, 2000, Coleen A. Burns was appointed by the Commission to act as Examiner in this case. On March 14, 2001 Complainant filed a Motion in Limine. On March 21, 2001, Respondent filed a response to this Motion, requesting that the Motion be denied. On March 25 and 26, 2001, Complainant filed further argument in support of his Motion.

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Having considered the argument of the parties, and the record as a whole, the Examiner makes and issues the following

ORDER

Complainant's Motion In Limine is denied.

Dated at Madison, Wisconsin, this 2nd day of April, 2001.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Coleen A. Burns /s/

Coleen A. Burns, Examiner

D. C. EVEREST SCHOOL DISTRICT

MEMORANDUM ACCOMPANYING ORDER
DENYING COMPLAINANT'S MOTION IN LIMINE

Complainant's request for an order excluding from evidence and prohibiting any witness or counsel from mentioning, referring to, arguing, or suggesting that Complainant's layoff was justified by any alleged action by him that could be construed as grounds for disciplinary action is without merit. Accordingly, Complainant's Motion has been denied.

Dated at Madison, Wisconsin, this 2nd day of April, 2001.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Coleen A. Burns /s/

Coleen A. Burns, Examiner